

**US EXECUTIVE APPROVAL FORM****CUSTOMER NAME: ICG Communication****PARTNER/VAD NAME:****SECTION I - Approval Requests:**

Requesting re-approval for same conditions as approved in Q2. Deal pushed to Q3 - looking to close in January.

**HQAPP Requests:**

1. Allow migration of DB, tools, 9iAS to new license migration. Currently paying support on licenses, but doesn't show in migration transaction. LMS requesting approval to migrate these invalid licenses.

-ICG did a migration on an agreement where both applications and technology licenses were listed under the same CSI's dated May-99. ICG's CSI's were listed to be terminated but for some reason the contracts group failed to list the technology to be migrated, they showed only the applications.

Later in the contract it lists the following CSI #'s to be terminated which were 2480221, 2480222, 2480223, 2480224, 2480225, ICG has since continued to pay support on those licenses, but again never received credit towards the May-99 migration for the technology. This is why we are asking for the proper credit to be applied now since it was an oversight back in May-99. The above CSI's are now terminated and new CSI #'s have been applied. Those are located in the migration document.

- We confirmed with the MAT specialist (Jodee Whitby) on this deal that the situation Glenn has explained above (#1) is common. The former account team migrated the apps only in the previous migration and no one in contracts ever made a note of it anywhere. Jodee explained that as she analyzed the previous transactions, the numbers all add up to explain this. She just needs HQAPP to approve since there was no mention of the tech licenses still being valid despite the fact that the customer has continued to pay support on them.

Note: The portion of the licenses to be migrated deemed invalid is \$63k out of \$690k. - 9% of total migration.

2. Quarterly support payments on migrated support - Per OSSINFO - "Quarterly in advance billing is approved on the existing migrated support, provided that they had it last year."
3. Waive eBusiness upgrade support fee if ebusiness migration equals list support.  
- Since we are migrating to the e-business suite we are asking to stay within the support guidelines and confirmed with Alison Derbenwick that when a customer is paying list price for support a customer is not required to pay the upgrade support fee, due to the fact that they would be paying above and beyond the list price for support.

\*\*\*Per Alison and Tom Williams . Yes.... we're okay from a revrec perspective if we charge the 10% upgrade fee on the licenses without a corresponding support fee so long as the support on the migrated licenses is at today's list price.

**TIER 1 Requests:**

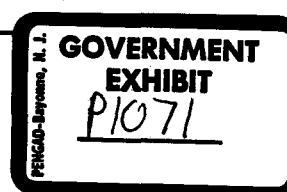
1. eBusiness discount + 25% (50%) e-business suite

**Previously approved requests 11/26/02:** same as above.

**SECTION II - Deal Summary:**

Deal Summary

CONFIDENTIAL



ORCL-EDOC-00224653

Programs	Ebusiness Suite migration, 9i, 9ias, IDS, Discoverer, Tools
License Discount	50 % (ebiz + 25 %)
Support Discount	50 % (ebiz + 25 %)
Comp & Admin Discount	
Phased Implementation for Comp & Admin?	See checklist below and forward a spreadsheet to NASINFO/OGEHINFO and Priscilla Morgan for review.
Support Options/Holds	
Price Holds	
List License	\$1,981,000 (eBusiness list)
List Support	\$435,820 (eBusiness list )
List Comp & Admin	
Net License	\$34,717 + eBus. Mig. \$57,474
Net Support	\$435,820 (includes upgrade support and migrated support)
Net Comp & Admin	
Net Total Price	\$528,011 (includes migrated support)
Price List Used	Nov. 2002

Customer History - Existing Price Holds	
Existing contractual discount (price hold)	%
Date of Price List for price hold	
When does price hold expire?	
Price hold program categories (database, server, erp, crm, hr/payroll, app suite)	
Name of Agreement if applicable	

**SECTION III - Justification:**

ICG has recently come from Ch. 11, but the company has reduced their workforce over 50% from their high. ICG has owned Oracle applications for over 8 years. They have only implemented financials and projects. They use Peoplesoft HR/Pay and recently acquired Peoplesoft's SFA software. If we don't find a way to migrate ICG to the ebusiness suite, thus increase the Oracle application footprint and reduce there overall support for applications and technology costs, we will provide Peoplesoft a mechanism to replace the Oracle applications. Additionally we started the migration talks before the upgrade fee was in place.

Additionally, through several migrations the contracts in place for ICG do not show they have a perpetual license for the technology products. They pay annual support for these products, but our contracts are not clear that past migrations give them the perpetual licenses. (These products are highlighted in red in the attached migration worksheet. Therefore we are requesting the migration for the technology products in the new contract.

OSSINFO, ICG has been paying support on a quarterly basis and we are requesting quarterly payments for migrated support charges.

This migration will clean up all old contracts and provide Oracle a clean contract for the future.

**Recommendation:** Approve with standard comp for quarterly support.

**Submitted By:** *R. Layne Devereaux/ASM – Mike Artzn – AVP, Classick, Nugent, Block*  
**Field RM name if submitted by iSD:**

R: 1/10/03  
C: 1/10/03  
L: 1/10/03  
A: 1/10/03

**BP: BL**